

**BEFORE THE TENNESSEE REGULATORY AUTHORITY  
NASHVILLE, TENNESSEE**

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IN RE: COMPLAINT OF US LEC OF )  
TENNESSEE, INC. AGAINST ELECTRIC ) DOCKET NO. 02-00562  
POWER BOARD OF CHATTANOOGA )

TN REGULATORY AUTHORITY  
DOCKET ROOM

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**AMENDMENT TO COMPLAINT OF US LEC**

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US LEC of Tennessee, Inc. ("US LEC") moves to amend its complaint against the Electric Power Board of Chattanooga ("EPB") by adding the following paragraph:

10. In addition to the allegations described above, EPB has refused to allow US LEC to interconnect with EPB's network or to provide US LEC with features and services on an unbundled and non-discriminatory basis, as required by T.C.A. § 65-4-124(a)


US LEC has requested access to EPB's building and fiber network in Chattanooga. In order to do that, US LEC has requested a point of interconnection between the two carriers and the ability to lease, on reasonable terms and conditions, space on EPB's transmission facilities from the customer's premises to the point of interconnection. EPB is required by T.C.A. § 65-4-124(a) to "provide non-discriminatory interconnection to [its] public network under reasonable terms and conditions." Furthermore, the statute states that US LEC "shall, to the extent it is technically and financially feasible, be provided desired features, functions and

services promptly, and on an unbundled and non-discriminatory basis from all other telecommunications service providers.”

Despite these clear statutory mandates, EPB has refused to provide, or even meaningfully discuss, US LEC's request for interconnection. EPB's actions provide further reasons for the need for the Authority to open a contested case proceeding and to order EPB to abide by the requirements of state law and EPB's certificate.

Respectfully submitted,

BOULT, CUMMINGS, CONNERS & BERRY, PLC


By:   
Henry Walker  
414 Union Street, Suite 1600  
P.O. Box 198062  
Nashville, Tennessee 37219  
(615) 252-2363

## CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing has been forwarded via U.S. Mail, postage prepaid, to the following on this the 20 day of September, 2002.

Mark Smith, Esq.  
Strang, Gletcher, Carriger, Walker, Hodge & Smith, PLLC  
400 Krystal Building  
One Union Square  
Chattanooga, TN 37402-2514

Guy Hicks, Esq.  
BellSouth Telecommunications, Inc.  
333 Commerce Street, Suite 2101  
Nashville, TN 37201-3300

  
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Henry Walker